

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<b>TYRELL KNIGHT,</b>	)	<b>CASE NO. 4:06CV3152</b>
	)	
<b>Plaintiff,</b>	)	
	)	<b>MEMORANDUM</b>
<b>v.</b>	)	<b>AND ORDER</b>
	)	
<b>FRANK HOPKINS, et. al.,</b>	)	
	)	
<b>Defendants.</b>	)	

The plaintiff has filed a motion for an order compelling the defendants to produce the videotape of an alleged excessive force/forcible injection of medication incident that occurred on February 24, 2006. Filing No. 72. He further requests that the defendants' pending motion for summary judgment (Filing No. 67) be stayed until this discovery is produced.

The plaintiff previously moved to compel production of this videotape, and the defendants failed to respond to the motion. See Filing No. 31. Accordingly, on May 23, 2007, the court ordered the defendants to produce this videotape and file a copy with the court. See Filing No. 39. The defendants have failed to file the court copy or a certificate of service stating a copy of the videotape was provided to the plaintiff, and they have not filed any explanation for their failure to comply with this court's prior order. They have likewise not responded to the plaintiff's pending motion to compel.

**IT IS ORDERED:**

1. The defendants are given until October 31, 2007, to produce and file with the court a copy of the videotape of the February 24, 2006, incident involving the plaintiff and documenting the defendants' use of force and forcible injection of medication, or a statement explaining why a copy of this videotape cannot be produced and filed;

2. The plaintiff's response to the defendants' motion for summary judgment is stayed until further order of the court; and
3. The Clerk of the court is directed to set a pro se case management deadline in this case using the following text: October 31, 2007 – defendants' deadline for production of videotape.

DATED this 15<sup>th</sup> day of October, 2007.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge